

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**GREGORY GREENWOOD**

**PETITIONER**

**vs.**

**CIVIL ACTION No.: 3:19-CV-598-HTW-BWR**

**BURL CAIN**

**RESPONDENT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

BEFORE THIS COURT is the Report and Recommendation [**Docket no. 20**] issued by Magistrate Judge Bradley W. Rath. In his Report and Recommendation, filed on October 14, 2022, Magistrate Judge Rath recommended that the *Motion for Voluntary Dismissal* [Docket no. 17], filed by Petitioner Gregory Greenwood (“Greenwood”) be granted, and Greenwood’s Petitioner for Writ of Habeas Corpus be dismissed. The Magistrate Judge further recommended that, in light of his recommendation to dismiss the underlying Petition for Writ of Habeas Corpus, this court find as moot Respondent Burl Cain’s Motion to Dismiss [Docket no. 15].

Magistrate Judge Rath directed the parties to file any objections to his recommendation within fourteen (14) days. To date, no objection has been filed.

Based upon the findings and recommendation contained in the Report and Recommendation [**Docket no. 20**], this court finds it well-taken. Magistrate Judge Rath carefully considered the submissions of the parties, the record, and relevant law, and crafted a well-versed Report and Recommendation. Therefore, this court hereby ADOPTS the Report and Recommendation of the Magistrate Judge as the order of this court.

IT IS, THEREFORE, ORDERED THAT Petitioner’s Motion for Voluntary Dismissal [Docket no. 17] hereby is GRANTED.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus [Docket no. 1] hereby is **DISMISSED with PREJUDICE**.

IT IS FINALLY ORDERED that Respondent's Motion to Dismiss [Docket no. 15] hereby is DISMISSED as MOOT.

**SO ORDERED this the 5th day of December, 2022.**

/s/HENRY T. WINGATE  
**UNITED STATES DISTRICT COURT JUDGE**